

In the United States District Court  
For the Northern District of Texas  
Dallas Division

John T. Lamont and Preston	§	
Poulter	§	
Plaintiffs	§	
	§	No. 3:21-cv-1176-K-BN
v.	§	
	§	
Dean Assaf et al.	§	
Defendants	§	

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**Plaintiffs' Rule 41(a)(2) Motion to Dismiss**

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Plaintiffs John T. Lamont and Preston Poulter initiated this lawsuit on May 23, 2021. Dkt. 1. They initially sued three defendants: Dean Assaf, Ethan Van Sciver, and Victoria Kundert. The Court previously granted motions to dismiss filed by Van Sciver and Kundert. Dkt. 37; Dkt. 59. On October 30, 2023, Plaintiffs and Assaf, the only remaining defendant, announced a settlement on the record. Pursuant to the terms of that settlement, Plaintiffs now move the Court to dismiss the claims against Assaf with prejudice.

For the sake of clarity: This motion is limited to the claims asserted against Assaf. Plaintiffs do not consent to the prior dismissal of the claims against Van Sciver and Kundert, nor do they waive their right to appeal those prior orders.

Plaintiffs therefore ask the Court to grant this motion, sign the proposed order, and grant to Plaintiffs such other and further relief to which they may be entitled.

Respectfully submitted,

*/s/ Jeremy Masten*

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Counsel for Plaintiffs

### **Certificate of Service**

I certify that a true and correct copy of the foregoing was served on all parties through their counsel of record, including those listed below, through the Court's CM/ECF system on November 13, 2023.

- Tom Adair, counsel for Dean Assaf

*/s/ Jeremy Masten*

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Jeremy M. Masten